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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 KORY T. O'BRIEN,  
12 Plaintiff,

13 v.

14 R. GARZA, et al.,  
15 Defendants.  
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Case No. 2:22-cv-01730-TLN-JDP

**ORDER**

17 Plaintiff, a state prisoner proceeding pro se, filed this civil rights action seeking relief  
18 under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to  
19 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On January 18, 2024, the magistrate judge filed findings and recommendations herein  
21 which were served on all parties, and which contained notice to all parties that any objections to  
22 the findings and recommendations were to be filed within fourteen days. The time to file  
23 objections has passed, and neither party filed objections to the findings and recommendations.

24 The Court reviewed the file and finds the findings and recommendations to be supported  
25 by the record and by the magistrate judge's analysis.

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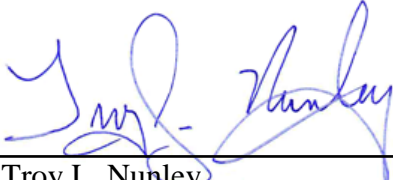
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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed January 18, 2024 (ECF No. 39) are ADOPTED IN FULL;
2. Plaintiff's Motion to Amend (ECF No. 24) is GRANTED and this action shall proceed on Plaintiff's First Amended Complaint (ECF No. 25);
3. Plaintiff's Motion for Extension of Time (ECF No. 31) is DENIED;
4. Plaintiff's Motion to Stay Discovery (ECF No. 33) is DENIED;
5. Plaintiff's Motion to Stay Response to Defendants' Motion for Partial Summary Judgement (ECF No. 37) is DENIED;
6. Defendants' Motion for Partial Summary Judgement (ECF No. 28) is DENIED as moot; and
7. This case is referred back to the magistrate judge for further pre-trial proceedings.

Date: February 19, 2024

  
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Troy L. Nunley  
United States District Judge